

REMARKS

Claims 1-15, 26-28, 33-45, 50, 53, 59-66, 68, 71-82, 84-93, 95, 98-109 and 111-112 remain pending in the application of which claims 1, 37, 59, 82, 86 and 109 are independent. No claims have been amended herein. Claims 16-25, 29-32, 46-49, 51-52, 54-58, 67, 69-70, 83, 94, 96-97 and 110 were previously canceled. No claims have been added or canceled herein.

35 U.S.C. § 103(a) Rejections

Claims 1-15, 26-28, 33-35, 37-38, 40-45, 50, 53, 59-60, 62-66, 71-82, 84, 86, 87, 89-93, 95, 98-109 and 111 were rejected as being unpatentable over Wicks et al (United States Patent No. 5,796, 394, hereafter “Wicks”) in view of Clifton-Bligh et al (United States Patent No. 6,775,659, hereafter “Clifton”).

Claims 36, 61, 68, 85, 88 and 112 were rejected as being unpatentable over Wicks in view of Clifton in further view of Scott (United States Patent No. 5,543,818, hereafter “Scott”).

Applicants respectfully traverse the rejections.

Summary of Wicks

Wicks et al discusses a communications routing system. A base station which is connected to a display is connected to multiple types of devices in a Local Area Network or other type of network. The base station is equipped with a keypad input device similar to those found on standard telephones. The base station receives transmissions intended for the various types of device in the LAN from multiple types of exterior networks having different data formats. Exemplary types of exterior networks include computer networks, telephone networks and paging networks (see Fig. 1 and discussion thereon). The base station filters and routes this information to the various devices and provides a common interface for the retrieval of the information. The purpose of the system in Wicks is to provide a common interface for information retrieval for different types of devices on the local network which are receiving information in their specific data formats. All communications to the office [i.e.: LAN devices]

go through the base station (column 2, lines 40-41).

The intercepted information may be retrieved by a user of the Wicks system via the keypad-like input device embedded in the base station. The base station generates a display of icons approximately arranged on the display in an orientation similar to that of the keypad. Actions are taken in response to a user pushing one of the buttons on the keypad corresponding to an icon on the display. Alternatively, the information may be retrieved by docking a handheld communicator to a docking station attached to one of the devices which is interfaced with the base station over the LAN. The handheld communicator has a numeric keypad and a unique user ID. The device to which the handheld communicator is docked may or may not have a display. The handheld communicator may or may not have a display. Once docked at a particular device in the LAN, information intended for that device may be sent to the device via the handheld communicator.

Summary of Clifton-Bligh

Clifton discusses a system used to map and visually depict interconnections between multiple data files such as files accessed via the world wide web (see Abstract). The Clifton system aims to provide a method for mapping logical relationships between data files which can be used in conjunction with a display device having limited resolution. The system also seeks to provide devices which allow the display and/or navigation of the interconnections and to provide a mechanism allowing users to gain an impression of the significance of a given file before opening the file (col. 5, lines 10-22). Exemplary representations of these interconnections may be seen in Figures 1-8. In one embodiment, a mobile phone may be used to display the logical relationships (see Figs 9-12 and related description).

Argument

Wicks in view of Clifton fails to disclose, teach or suggest all of the elements of Applicants' independent claims.

Representative claim 1 recites:

A mobile telephone apparatus, said mobile telephone apparatus comprising:
a display surface for displaying information in a visually partitioned manner, said visually partitioned information being presented on said display in at least two regions;
a keypad containing keys, each of said keys corresponding to at most a single region of said display, wherein each region is associated with at least one of the keys in the keypad and represents a choice of an option that may be selected by selecting the associated key;
logic for triggering an event in response to a selection of the associated key, the triggering of the event resulting in the display of additional information, the additional information having been retrieved from a remotely located web server, the additional information visually partitioned and presented on the display in at least two regions, each of the regions displaying the additional information associated with at least one of the keys in the keypad; and
a processor for executing the logic for triggering the event, said event triggered by the selection of the associated key.

In the Office Action, the Examiner acknowledged that Wicks failed to disclose “*triggering an event in response to a selection of the associated key, the triggering of the event resulting in the display of additional information, the additional information having been retrieved from a remotely located web server, the additional information visually partitioned and presented on the display in at least two regions, each of the regions displaying the additional information associated with at least one of the keys in the keypad*” (Office Action page 4), but suggested that Wicks disclosed all of the other elements of Applicants’ claim 1 and that Clifton supplied the elements missing from Wicks. Applicants respectfully disagree that Clifton discloses “*triggering an event in response to a selection of the associated key, the triggering of the event resulting in the display of additional information, the additional information having been retrieved from a remotely located web server, the additional information visually partitioned and presented on the display in at least two regions, each of the regions displaying the additional information associated with at least one of the keys in the keypad*” and further disagree with the Examiner’s suggestion, for the reasons set forth below, that Wicks discloses the remaining elements of claim 1.

In the Office Action, the Examiner cited Figures 11(a)-(e) and the discussion at col. 33, lines 35-67, col. 34 lines 33-67 and col. 15, lines 35-43 in Clifton (Office Action, page 4) as disclosing the elements of Applicants' claim 1 that the Examiner acknowledged were missing from Wicks. However, Applicants respectfully submit that the cited sections of Clifton fail to support the Examiner's position.

Col. 33, lines 35-67 discuss the process by which a user in the Clifton system can navigate among last names of entries in a telephone directory. The section refers to Figure 10(g) and 10 (h) in discussing the user making selections to make a phone call. Col. 34, lines 33-67 discuss how the Clifton mobile phone may be used to access the worldwide web. Figures 11(a)-(e) relate to this later discussion. Of note, in the telephone discussion (depicted in Figures 10(g) and (h)) the display includes both the fractal map 234 depicting the relationship of files and a function menu (235 and 238 respectively) and both displays include regions associated with and navigable using associated keys. This description fails to disclose, teach or suggest Applicants' claim element as the limitation the Examiner contends is disclosed recites "*triggering an event in response to a selection of the **associated key**.*" The "associated key" is referred to earlier in the claim which recites "***each of said keys corresponding to at most a single region of said display, wherein each region is associated with at least one of the keys in the keypad and represents a choice of an option that may be selected by selecting the associated key.***" In contrast to the claimed invention, the Clifton system as described in Figures 10(g) and 10(h) contains keys (the "associated keys") that correspond to more than one region of the display depending upon whether the user is navigating the fractal map or the function menu. Put another way, the same keys in the Clifton system map to different regions of the display and therefore do not correspond to at most a single region of the display. The Clifton key that is allegedly triggering an event by its selection is therefore not the "associated key" claimed by Applicants.

With regard to the web embodiment described in Figures 11(a)-(e), a similar problem exists. Amongst other issues, the depiction in Figure 11(b) of the mobile phone again discusses an embodiment in which both the regions of the fractal map 234 and the function menu 236 are associated with the same key. Accordingly, the initial triggering of the event does not take place in response to the selection of an "associated key" as recited in claim 1. Applicants also note that the additionally displayed weather information depicted in Figures 11(d) and 11(e) is also

not visually partitioned and is not associated with at least one of the keys in the keypad as also recited in claim 1.

The reference to col. 15, lines 35-43 of Clifton merely discusses the general principal of maintaining an up-to-date map of the pages of a particular site or those stored on more than one server. It also fails to disclose, teach or suggest Applicants' claim elements.

Accordingly, for at least these reasons, Clifton fails to supply the elements of Applicants' claim 1 that the Examiner acknowledged were missing from Wicks.

Additionally, Applicants also respectfully re-assert their positions from earlier in prosecution regarding Wicks. More specifically, Wicks does not disclose the claimed mobile telephone apparatus. As previously discussed during prosecution, Wicks **requires** the use of an intermediary base station functioning in a local communication network. Accordingly, it does not disclose, teach or suggest **a mobile telephone apparatus** which includes the claimed display surface, keypad or processor as Wicks discusses **a multi-device communication system** rather than a mobile telephone apparatus. Applicants therefore respectfully submit that, contrary to the Examiner's assertion, Wicks does not disclose, teach or suggest the remaining elements of Applicants' claim 1.

Accordingly, for at least these reasons, the reconsideration and allowance of claim 1 (and claims 2-15, 26-28, 33-36 which depend thereon) is requested.

The same reasoning as set forth above in regard to claim 1 is also applicable to the remaining independent claims. For example, independent claim 37 recites "logic for triggering an event in response to a selection of **the associated key**, the triggering of the event resulting in the display of additional information, the additional information having been retrieved from a remotely located web server, the additional information visually partitioned and presented on the display in at least two regions, each of the regions displaying the additional information associated with at least one of the keys in the keypad". As noted above in the discussion of claim 1, Clifton and Wicks fail to disclose, teach or suggest this element.

Likewise, independent claim 59 recites among other things:

processing with a processor located in the portable electronic apparatus logic associated with the selection of the selected one of the keys, the processing triggering an event that causes the display of additional information, the additional information having been retrieved from a remotely located web server, the additional information visually partitioned and presented on the display in regions, each of the regions displaying the additional information associated with at least one of the keys in the keypad, the additional information concerning a service associated with the selected key.

As noted above during the discussion of claim 1, Wicks and Clifton fail to disclose, teach or suggest these elements.

Similarly, claim 82 recites among other things “the processing triggering an event that causes the display of additional information, the additional information having been retrieved from a remotely located web server, the additional information visually partitioned and presented on the display in regions, each of the regions displaying the additional information associated with at least one of the keys in the keypad, the additional information.” Applicants respectfully submit that the reasoning set forth for claim 1 above is also applicable to claim 82.

Independent claims 86 and 109 are medium claims substantially corresponding to independent method claims 59 and 82 and are allowable for at least the same reasons.

Accordingly, for at least these reasons the reconsideration and allowance of claims 1-15, 26-28, 33-35, 37-45, 50, 53, 59-60, 62-66, 68, 71-82, 84, 86-87, 89-93, 95, 98-109 and 111 is respectfully requested.

Dependent claims 36, 61, 85, 88 and 112 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wicks in view Clifton in further view of Scott (U.S. Patent No. 5,5543,818). The Examiner cited Scott (page 10, Office Action) as teaching a cursor used to highlight regions and make visual selections. Scott however does not remedy the shortcomings of Wicks and Clifton with regard to Wicks’ and Clifton’s failure to disclose or suggest all of the elements of Applicants’ independent claims. Accordingly, the reconsideration and allowance of claims 36, 61, 85, 88 and 112 is requested.

CONCLUSION

In view of the above amendment, Applicants believe all claims in the pending application are in condition for allowance. Should the Examiner feel that a teleconference would expedite the prosecution of this application, the Examiner is urged to contact the Applicants' attorney at (617) 227-7400.

Please charge any shortage or credit any overpayment of fees to our Deposit Account No. 12-0080, under Order No. AVE-001CNRCE2. In the event that a petition for an extension of time is required to be submitted herewith, and the requisite petition does not accompany this response, the undersigned hereby petitions under 37 C.F.R. § 1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized to be charged to the aforementioned Deposit Account.

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Respectfully submitted,

Electronic signature: /John S. Curran/
John S. Curran
Registration No.: 50,445
LAHIVE & COCKFIELD, LLP
One Post Office Square
Boston, Massachusetts 02109-2127
(617) 227-7400
(617) 742-4214 (Fax)
Attorney/Agent For Applicant